

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHERWIN PINNOCK,)
)
Petitioner,)
)
v.) Civil Action No. 09-997
) CHIEF JUDGE AMROSE
UNITED STATES OF AMERICA,) MAGISTRATE JUDGE BISSOON
)
Respondent.)

MEMORANDUM ORDER

AND NOW, this 31st day of August, 2009,

IT IS HEREBY ORDERED that Sherwin Pinnock's Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241 is DISMISSED WITHOUT PREJUDICE. The instant Petition is premature in light of Pinnock's currently pending direct appeal from the imposition of sentence. See, Johnson v. United States, No. 07-4706, slip op. at 3-4 (3d Cir. Feb. 21, 2008) (Section 2241 habeas petition premature in light of petitioner's ability to raise claims on direct appeal and in Section 2255 petition).

s/Donetta Ambrose
Donetta Ambrose
Chief U.S. District Court Judge

CC:
SHERWIN PINNOCK
61466-054
NEOCC
2240 Hubbard Road
Youngstown, OH 44505